IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Bail Appl..No. 884 of 2007

(CRIME NUMBER 24/2007 NALLALAM POLICE STATION, KOZHIKODE)

PETITIONER/ACCUSED:

DULFEEKER ALI, S/O.HUSSAIN HAJI,
AGED 31 YEARS, CHATHANKANDY HOUSE,
G.A.COLLEGE P.O., KOZHIKODE-14.

BY ADV. SRI.K.ANTONY JOSEPH

RESPONDENT:COMPLAINANT:

STATE OF KERALA, REPRESENTING
STATION HOUSE OFFICER, NALLALAM POLICE
STATION, KOZHIKODE, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 884 OF 2007 A

Dated this the 14th day of February, 2007

O R D E R

In this Petition filed under Sec.438 Cr.P.C. the petitioner, who is the first accused in Crime No.24/2007 of Nallalam Police Station for an offence punishable under Sec.379 IPC committed in respect of the poles relating to the cable connection, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting that the missing poles have to be recovered.

3. Eventhough anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 19.2.2007 and 21.2.2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate concerned, who shall release the petitioner on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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